

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANITA REED-EDGECOMBE,

Plaintiff,

v.

OFFICER K. WILSON, SERGEANT  
ANDERSEN, OFFICER JERALD NETTLES  
#864, OFFICER K. RICHMOND #844,  
OFFICER JOSEPH WILLIAMS #814,  
OFFICER WILLIE CAMPBELL #805, and the  
CITY OF COUNTRY CLUB HILLS,

Defendants.

No. 08-cv-2385

JUDGE DER-YEGHIAYAN

MAGISTRATE JUDGE DENLOW

**JOINT INITIAL STATUS REPORT**

NOW COME the parties and jointly file this initial status report before the Court.

Plaintiff is represented by Amanda S. Yarusso from Horwitz, Richardson and Baker, LLC. Ms. Yarusso is the lead attorney for the litigation of this file. For trial, Blake Horwitz shall serve as lead trial attorney. Defendants are represented by Brian J. Kaplan and Eugene Keefe of Keefe, Campbell & Associates, LLC. For trial, Brian J. Kaplan shall serve as the lead trial attorney.

**1. Nature of claims and counterclaims**

Plaintiff is bringing counts of excessive force, false arrest, and conspiracy against the Defendant officers pursuant to Section 1983. Plaintiff has also brought state battery, false arrest and conspiracy claims against the Defendant officers. Finally, Plaintiff has included a *Monell* count, an indemnity count and *respondeat superior* count against the City.

**2. Relief sought by plaintiff**

Plaintiff has is claiming compensatory damages, punitive damages, attorneys' fees and costs for her injuries.

**3. Names of parties not served**

The recent Amended Complaint names the additional Defendant Officers. The attorney for the Defendants will be appearing and answering on behalf of all Defendants by August 29, 2008 (if the motion for extension of time is granted); however, one of the Defendants needs to be corrected from K. Wilson to M. Wilson, necessitating a Third Amended Complaint.

**4. Principal legal issues**

Legal issues include: whether the Plaintiff was arrested, whether the Defendant Officers had probable cause to arrest Plaintiff, whether the Defendant Officers used excessive force, that is more force than was reasonably necessary, whether the Defendant Officers conspired to deprive Plaintiff of his constitutional rights, and whether the Defendant Municipality maintains policies, practices, or customs that cause the deprivation of citizens' constitutional rights.

**5. Principal factual issues**

Principal factual issues include: the nature, scope, and basis for the Defendant Officers' interaction with Plaintiff, including the basis for the officers' arrest of Plaintiff and what force they used on the Plaintiff, as well as the Plaintiff's actions.

**6. List of pending motions and brief summary of bases for motions**

Defendants' unopposed motion for extension of time to answer is pending before the court. The motion is based on the unavailability of one of the answering defendant officer due to vacation.

**7. Description of discovery requested and exchanged**

The parties have not formally requested or exchanged discovery yet; however, the Defendants have tendered the incident report to the Plaintiff.

**8. Type of discovery needed**

The Plaintiff will need discovery regarding the incident/arrest, individuals involved, witnesses, and the officers' description of their actions and justification thereof. The Plaintiff will also need discovery regarding the *Monell* claim. The Defendants will need discovery regarding the incident and individuals involved and witnesses present, the Plaintiff's actions, the Plaintiff's damages and any evidence regarding Plaintiff's *Monell* claim. Depositions will need to be taken of all the parties as well as several witnesses involved (approximately 10). Discovery will be done via interrogatories, requests to produce, requests for admission and depositions.

**9. Proposed dates for discovery schedule:**

- a. Rule 26(a)(1) disclosures: **September 22, 2008**
- b. Fact discovery completion: **December 22, 2008**
- c. Expert discovery completion: the parties do not anticipate the need for specially retained experts (pursuant to Rule 26(a)(2)(B)) and plan to complete any other expert disclosures (pursuant to Rule 26(a)(2)(A)) to be completed with fact discovery by **December 22, 2008**.
- d. Filing of dispositive motions: **January 22, 2009**
- e. Filing of a final pretrial order: **February 23, 2009**

**10. Estimation of when the case will be ready for trial**

The parties estimate the case will be ready for trial **March 2, 2009**.

**11. Probable length of trial**

The parties estimate the trial will take 4 to 5 days.

**12. Whether a request has been made for a jury trial**

Both parties have requested a jury trial.

**13. Whether there have been settlement discussions and if so the outcome of those discussions**

There have been no settlement discussions to date, but the parties anticipate engaging in settlement discussions after all of the Defendants have answered the amended complaint.

**14. Whether the parties consent to proceed before a Magistrate Judge**

The parties DO consent to proceed before the Magistrate Judge.

Respectfully submitted,

s/Amanda S. Yarusso  
Amanda S. Yarusso  
Attorney for the Plaintiff  
HORWITZ, RICHARDSON & BAKER, LLC  
20 South Clark St., Suite 500  
Chicago, IL 60603  
Tel: 312-676-2100  
Fax: 312-372-7076  
ayarusso@hrbattorneys.com

s/Brian Kaplan  
Attorney for the Defendants  
Keefe, Campbell & Associates, LLC  
118 North Clinton, Suite 300  
Chicago, IL 60661  
Tel: 312-756-1800

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANITA REED-EDGECOMBE,

Plaintiff,

v.

OFFICER K. WILSON, SERGEANT  
ANDERSEN, OFFICER JERALD NETTLES  
#864, OFFICER K. RICHMOND #844,  
OFFICER JOSEPH WILLIAMS #814,  
OFFICER WILLIE CAMPBELL #805, and the  
CITY OF COUNTRY CLUB HILLS,

Defendants.

No. 08-cv-2385

JUDGE DER-YEGHIAYAN

MAGISTRATE JUDGE DENLOW

**CERTIFICATE OF SERVICE**

I hereby certify that on August 12, 2008, pursuant to Fed.R.Civ.P. 5 and the Northern District of Illinois's General Order on Electronic Case Filing, sec. XI, I caused the following documents:

**PARTIES' JOINT INITIAL STATUS REPORT AND JOINT JURISDICTIONAL REPORT**

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an enotice of the electronic filing to the following:

N/A

I further certify that I caused a copy of the foregoing documents and the notice of electronic filing to be mailed by first class mail, postage paid, to the following non-ECF participants:

Eugene F. Keefe  
Keefe, Campbell & Associates, LLC  
118 North Clinton  
Suite 300  
Chicago, IL 60661

s/Amanda S. Yarusso  
Amanda S. Yarusso  
Attorney for the Plaintiff  
HORWITZ, RICHARDSON & BAKER, LLC  
20 South Clark St., Suite 500  
Chicago, IL 60603

Tel: 312-676-2100  
Fax: 312-372-7076  
ayarusso@hribattorneys.com